



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JUL 28 2004

IN RE THE APPLICATION OF : McDonald et al.
FOR : Method of Treatment of Cancer by Controlling
Graft versus Leukemia Using Topical Active
Corticosteroids
SERIAL NO. : 09/928,890
FILED : 08/13/2001
EXAMINER : Sabiha N. Qazi, Ph.D.
ART UNIT : 1616
LAST OFFICE ACTION : September 11, 2002
ATTORNEY DOCKET NO. : 215064.00025

OFFICE OF PETITIONS

#12

**PETITION TO REVIVE AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned as of March 11, 2003, for failure to file a timely and proper reply to an Office Action by the United States Patent and Trademark Office dated September 11, 2002.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Enclosed herewith, please find the following:

- 1) Petition Fee in the amount of \$665.00 pursuant to 37 CFR 1.17(m), (applicant claims small entity status):
- 2) Response to Office Action dated September 11, 2002 requiring election of species; and

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- 3) Statement that the entire delay was unintentional.

Since this utility application was filed after June 8, 1995, no terminal disclaimer is required.

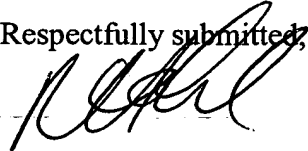
STATEMENT

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

REMARKS

It is respectfully requested that this Petition for Revival of an Application for Patent Abandoned Unintentionally be granted. This case was being handled by the firm Lyon & Lyon, which has ceased operations. The Office Action of September 11, 2002 did not get placed in the file. Undersigned counsel obtained a copy of it from the examiner on July 2, 2004. Attached is a check in the amount of \$650.00 for payment of the Petition under 37 C.F.R. 1.17(m). The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-170.

Respectfully submitted,



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Date: July 26, 2004